

FILED

JUN - 6 2011

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

In re) Case No. 09-39690-E-7
NELSON SEAN WYLLIE and) Docket Control No. EJS-2
PAULETTE JOANNA WYLLIE,)
Debtors.)

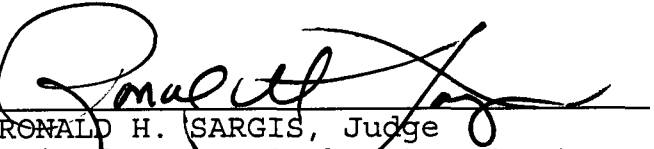
**MEMORANDUM OPINION GRANTING MOTION TO COMPEL THE TRUSTEE
TO ABANDON THE ESTATE'S INTEREST IN REAL PROPERTY**

After notice and hearing, the court may order the Trustee to abandon property of the Estate that is burdensome to the Estate or of inconsequential value and benefit to the Estate. 11 U.S.C. § 554(b). Property in which the Estate has no equity is of inconsequential value and benefit. *Cf. Vu v. Kendall (In re Vu)*, 245 B.R. 644 (B.A.P. 9th Cir. 2000). Here the property, common known as 6217 Purple Finch Court, Elk Grove, California, is impaired by two trust deeds in favor of BAC Home Loan Servicing, LP securing loans with balances of \$444,000.00 and \$111,000.00 respectively. Debtors' Schedule A lists the value of the real property as \$255,000.00. Debtors claim an exemption of \$1.00 in the real property pursuant to California Code of Civil Procedure § 703.140(b)(5).

Since the debt secured by the property, together with Debtors'

1 exemption, exceeds the value of the property and the negative
2 financial consequences to the Estate if it retained the property,
3 the court determines that the property is of inconsequential value
4 and benefit to the Estate, and orders the Trustee to abandon the
5 property. The motion is granted.

6 Dated: June 6, 2011

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8 RONALD H. SARGIS, Judge
9 United States Bankruptcy Court
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CERTIFICATE OF MAILING

The undersigned deputy clerk in the office of the United States Bankruptcy Court for the Eastern District of California hereby certifies that the attached document(s) was served by mail to the following entities listed at the address(es) shown below:

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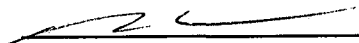
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DATE:

6/7/11


Deputy Clerk

R. Lopez